

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

DARRELL EUGENE JOHNSON,

Plaintiff,

v.

STATE OF CALIFORNIA  
DEPARTMENT OF CORRECTIONS  
AND REHABILITATION, et al.,

Defendants.

No. 2:22-cv-00276-DAD-DMC (PC)

ORDER ADOPTING FINDINGS AND  
RECOMMENDATIONS TO DISMISS  
ACTION AS DUPLICATIVE

(Doc. No. 17)

Plaintiff Darrell Eugene Johnson is a state prisoner proceeding *pro se* and *in forma pauperis* in this civil rights action brought pursuant to 42 U.S.C. § 1983. This matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On June 13, 2023, the assigned magistrate judge issued findings and recommendations recommending that the complaint be dismissed as duplicative of *Johnson v. California Department of Corrections, et al.*, 2:21-cv-02348-WBS-DMC. (Doc. No. 17.) The pending findings and recommendations were served on plaintiff and contained notice that any objections thereto were to be filed within fourteen (14) days after service. (*Id.* at 4.) To date, no objections have been filed, and the time in which to do so has now passed.

In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C), this court has conducted a *de novo* review of the case. Having carefully reviewed the entire file, the court concludes that the

findings and recommendations are supported by the record and by proper analysis.

Accordingly:

1. The findings and recommendations issued on June 13, 2023 (Doc. No. 17) are adopted in full;
2. Plaintiff's complaint (Doc. No. 1) is dismissed without leave to amend as duplicative of *Johnson v. California Department of Corrections, et al.*, 2:21-cv-02348-WBS-DMC; and
3. The Clerk of the Court is directed to close this case.

IT IS SO ORDERED.

Dated: August 4, 2023

  
UNITED STATES DISTRICT JUDGE